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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/049,271	02/06/2002	Gabriel Daemon Engel		7734

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EXAMINER

VAUGHN, GREGORY J

ART UNIT	PAPER NUMBER
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2178

DATE MAILED: 11/17/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/049,271

Applicant(s)

ENGEL ET AL.

Examiner

Gregory J. Vaughn

Art Unit

2178

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 February 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3, 11 and 12 is/are rejected.
- 7) ☒ Claim(s) 4-10 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

Application History

1. This action is responsive to the application filing, Application filed on 2/6/2002.
2. Claims 1-12 are pending in the case, claims 1, 11 and 12 are independent claims.

Priority

3. Applicant's claim for domestic priority of US PCT application PCT/NZ00/00162, filed 2/18/2000, is acknowledged.
4. Acknowledgment is made of applicant's claim for foreign priority under 35 U.S.C. 119(a)-(d) to New Zealand application 337333 (filed 8/19/199). The certified copies of these applications have been filed in the current application.

Specification

5. This application does not contain an abstract of the disclosure as required by 37 CFR 1.72(b). An abstract on a separate sheet is required.
6. The use of the following trademarks has been noted in this application:
 - "Microsoft Excel" first used on page 1, lines 10-11.

It should be capitalized wherever it appears and be accompanied by the generic terminology.

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Although the use of trademarks is permissible in patent applications, the proprietary nature of the marks should be respected and every effort made to prevent their use in any manner, which might adversely affect their validity as trademarks.

Claim Objections

7. Claims 4-10 are objected to under 37 CFR 1.75(c) as being in improper form because a multiple dependent claim should refer to other claims in the alternative only, and cannot depend from any other multiple dependent claim(s). See MPEP § 608.01(n). Accordingly, the claims have not been further treated on the merits.

Claim Rejections - 35 USC § 102

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

"A person shall be entitled to a patent unless –

(e) The invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language."

9. Claims 1 and 2 are rejected under 35 U.S.C. 102(e) as being anticipated by Yoshikawa US Patent 6,327,592, filed 7/2/1998, patented 12/4/2001.
10. **Regarding independent claim 1**, Yoshikawa discloses visual effects in the manipulation of data in Figure 7 at reference sign 601. Yoshikawa discloses assigning a particular screen designation code to a first group of data in Figure 7 at reference sign 606 (shown as "*Sales Volume*"). Yoshikawa discloses assigning a particular screen designation code to a second group of data in Figure 7 at reference sign 607 (shown as "*Number of Employees*"). Yoshikawa discloses in Figure 7 at reference sign 608 the screen designation code determining (shown as "*Volume/Employees*") which physical group of data is displayed simultaneously (shown as "*Sales Volume/Number of Employees*").
11. **Regarding dependent claim 2**, Yoshikawa discloses a spreadsheet in Figure 7 at reference sign 606, 607 and 608.

Claim Rejections - 35 USC § 103

12. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

"(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary

skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made."

13. Claims 3, 11 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yoshikawa in view of Courter et al. Microsoft Office 2000 Professional Edition, 1999 (hereinafter Courter).

14. **Regarding dependent claim 3**, Yoshikawa discloses visual effects in the manipulation of data, with screen designations of groups of data and simultaneous data display as described above. Yoshikawa fails to disclose the use of tabs corresponding to the groups of data. Courter teaches the use of tabs for groups of data. Courter discloses in Figure 22.1 on page 543 a spreadsheet using tabs to group the data (shown as "*Sheet tabs*").

Therefore, it would have been obvious, to one of ordinary skill in the art at the time the invention was made, to use tabs, as taught by Courter, to manage Yoshikawa's groups of data in order to "enter and format spreadsheets, create formulas, design charts, and manage and analyze data" (Courter, page xxxi, fourth paragraph.

15. **Regarding independent claim 11**, the claim is directed toward media for the method of claims 1-3 combined, and is rejected using the same rationale.

16. **Regarding independent claim 12**, the claim contains substantially the same subject matter as claims 1-3 combined, and is rejected using the same rationale.

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Conclusion

17. The following prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

<u>Patent/Publication</u>	<u>U</u>	<u>Inventor</u>
• US-5,317,686	05-1994	Salas et al.
• US-5,416,895	05-1995	Anderson et al.
• US-5,418,898	05-1995	Zand et al.
• US-5,463,724	10-1995	Anderson et al.
• US-5,502,805	03-1996	Anderson et al.
• US-5,590,259	12-1996	Anderson et al.
• US-5,604,854	02-1997	Glassey, Colin R.
• US-5,623,591	04-1997	Cseri, Istvan
• US-5,664,127	09-1997	Anderson et al.
• US-5,721,847	02-1998	Johnson, Jeffrey J.
• US-5,880,742	03-1999	Rao et al.
• US-5,883,623	03-1999	Cseri, Istvan
• US-5,883,635	03-1999	Rao et al.
• US-6,085,202	07-2000	Rao et al.
• US-6,282,551	08-2001	Anderson et al.
• US-6,418,426	07-2002	Schlesinger, Steven Jeffrey
• US-6,496,832	12-2002	Chi et al.
• US-6,505,209	01-2003	Gould et al.
• US-6,610,102	08-2003	Aldred et al.
• US-6,721,713	04-2004	Guheen et al.
• US-6,725,422	04-2004	Bauchot et al.
• US-2002/0091728	07-2002	KJAER et al.

18. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gregory J. Vaughn whose telephone number is (571) 272-4131. The examiner can normally be reached Monday to Friday from 8:00 am to 5:00 pm.

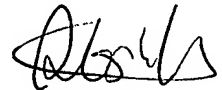
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen S. Hong can be reached at (571) 272-4124.

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The fax phone number for the organization where this application or proceeding is assigned is (571) 272-2100.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Gregory J. Vaughn
November 12, 2004\



STEPHEN S. HONG
PRIMARY EXAMINER